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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,299	12/08/2000	Edgar E. Blanco	0220-074	2989

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EXAMINER	
LOFTIS, JOHNNA RONEE	
ART UNIT	**PAPER NUMBER**
3623	

DATE MAILED: 04/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/733,299	BLANCO, EDGAR E.	
	Examiner	Art Unit	
	Johnna R. Loftis	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10 and 12-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10 and 12-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. In response to the Applicant's Pre-Appeal Brief Request for Review filed 1/20/06, the following is a non-final office action upon examination of application number 09/733,299. Claims 1-10 and 12-20 are pending and have been examined on the merits discussed below.

Response to Arguments

2. Applicant's arguments with respect to claims 1-10 and 12-20 have been considered but are moot in view of the new ground(s) of rejection. In response to applicant's arguments that there was no motivation to combine Gleditsch et al with Microsoft Excel Spreadsheets in a manner which would have resulted in applicant's claimed combinations, Examiner submits that after careful consideration it has been determined that Gleditsch et al alone teaches all the limitations of the instant invention. While there is not specific teaching of tables in Gleditsch et al, it is widely known that data stored in a database such as Gleditsch et al, can be stored in many forms. After all, a database is a collection of data organized in such a way that a computer program can quickly select desired pieces of data. Therefore, the determination has been made that the databases recited in Gleditsch et al are functionally equivalent to the tables recited in the claims. The rejections in view of Gleditsch et al follow.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gleditsch et al, US 6,415,195 in view of Microsoft Excel spreadsheets.

As per **claim 1**, Gleditsch et al teaches a computer system with software programming an algorithm for forecasting and databases including project information for each project including a reference to items to be employed in connection with the project (column 3 line 50 – column 4, line 33 – method to determines daily demand for manufacturing resources based on customer orders and predefined parameters related to the manufacturing resources; inherently the system is programmed to perform the forecasting of customer demand therefore, the computer system must provide all structure and functionality to run the forecasting operation); item information including a references to an algorithm to determine a quantity of the item for a project (column 3 line 50 – column 4, line 33 – the method provides a projection of demand on manufacturing resources; column 8, lines 41-51 – the method uses a smoothing process that comprises a computer and software programming an algorithm for smoothing the demand for the resources for a product over time) and determining project requirements on a dynamic basis based on a query for demand for items, by traversing the stored project and item data and using algorithms to determine the requirements (column 8, lines 40-67 – a forecast consumption policy is used to maximize the response to customer demand (inherently the customer order equates to customer

demand which is used to query the system to determine project requirements to produce the customer order)), but does not explicitly teach compiling the information into tables. However, it is old and well known in the art of data management that a database is functionally equivalent to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

As per **claim 2**, Gleditsch et al teaches the quantifiable items are selected from group consisting of parts, materials, equipment, labor, time, and combinations thereof (column 5, lines 32-37 – resources include raw materials, machine or production line time, shift worker hours, other labor, space, power or any other quantity whose constraint affects the ability to accept orders for the delivery of goods or services).

As per **claim 3**, Gleditsch et al teaches the database tables are distributed across several computers (column 4, lines 20-33 – the system is linked to various controlling mechanisms in the process such as an ordering system of suppliers or customers).

As per **claim 4**, Gleditsch et al teaches a database server for controlling and coordinating the database (column 4, lines 20-33 and column 8, lines 41-51 – the computer system including a database is linked to various controlling mechanisms in the process as well as to ordering systems, inherently a server is used to store the data for retrieval by the entities involved).

As per **claim 5**, Gleditsch et al teaches the project information further includes an identification of a project-type of the project, the tables further comprising a project-type table

having project-type information for each project-type referenced by the project table, the project-type information including each item to be employed in connection with the project-type (column 4, lines 20-33 – the database stores predefined parameters in connection with each project for allocation of resources; column 3 line 50 – column 4, line 33 – method to determines daily demand for manufacturing resources based on customer orders and predefined parameters related to the manufacturing resources).

As per **claim 6**, Gleditsch et al teaches the project information further includes at least one milestone date for the project, the tables further comprising a milestone table having milestone information for each milestone date referenced by the project table, the milestone information including at least one key project moment to which a need for an item for the project is referenced (column 3, lines 61-67 – calculates when certain amounts of materials or other resources will be needed based on orders and determines the date when the materials need to be purchased from the supplier).

As per **claim 7**, Gleditsch et al teaches the item information further includes a reference to the milestone information in the milestone table and information on how to calculate a date when the item is required based on the milestone information (column 3, lines 61-67 – calculates when certain amounts of materials or other resources will be needed based on orders and determines the date when the materials need to be purchased from the supplier).

As per **claim 8**, Gleditsch et al teaches the item information further includes an identification of at least one supplier, the tables further comprising a supplier table having supplier information for each supplier referenced by the item table, the supplier information including the items supplied by the supplier and information for each supplied item (column 4,

lines 20-33 – the computer system is linked to the suppliers for generating purchasing orders for more materials).

As per **claim 9**, Gleditsch et al teaches the information for each supplied item is selected from a group consisting of lead-time necessary for supplying the item but does not explicitly teach item prices, and capacity for supplying the item. Official notice is taken that it would have been obvious to one of ordinary skill in the art to also include item prices and capacity for supplying the item when ordering supply from a supplier because it is old and well known in the art of supply and demand to factor in such things as cost and availability to ensure that a company is getting what it needs in the most beneficial way possible. For example, when evaluating the order of supplies it is always important to factor in cost, lead-time and availability to ensure the production schedule will face a set back thereby leading to a more efficient production schedule.

As per **claim 10**, Gleditsch et al teaches the algorithm information for each algorithm is selected from a group consisting of: algorithm information that calculates a quantity of an item based on a mathematical calculation and data available from the tables of the databases; algorithm information that calculates a quantity of an item based on a quantity calculated for another item; algorithm information that refers to a lookup table; and combinations thereof (column 3 line 50 – column 4, line 33 – the method provides a projection of demand on manufacturing resources; column 8, lines 41-51 – the method uses a smoothing process that comprises a computer and software programming an algorithm for smoothing the demand for the resources for a product over time; column 12, lines 15-32 – an example of how the algorithm

works as orders come in and how the system is able to calculate based on time and demand for each project).

Claim 11 (cancelled).

As per **claim 12**, Gleditsch et al teaches storing project information, items for the project and the amount of the item required for the project (column 3, lines 50-67 and column 4, lines 6-33 – system stores project information and determines amount of item required for the project).

As per **claim 13**, Gleditsch et al teaches storing information including the date when the item is needed for the project (column 3, lines 50-67 – system calculates when materials are needed based on orders and determines the date when supplies must be ordered).

As per **claim 14**, Gleditsch et al teaches storing information including the date when the item is needed for the project (column 3, lines 50-67 – system calculates when materials are needed based on orders and determines the date when supplies must be ordered).

As per **claim 15**, Gleditsch et al teaches information including a supplier the item is to be ordered from (column 3, lines 60-67 – suppliers are inherently identified since the lead time associated with the supplier is used to order the needed materials).

As per **claims 11-15**, Gleditsch et al teaches the determinations of the amount of resources assigned to a task but does not explicitly teach populating a requirements table with the information. However, it is old and well known in the art of data management that a database is functionally equivalent to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is

used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

As per **claim 16**, Gleditsch et al teaches the project information including a reference to items to be employed in connection with the project, determining an item needed for a project; the item information including a reference to an algorithm to be employed to determine a quantity of the item for a particular project, determining an algorithm necessary to determine a quantity of the needed item; determining specifics of the necessary algorithm; from each table as necessary, obtaining any inputs necessary for the algorithm; and applying the inputs to the algorithm to determine the quantity of the needed item (column 3 line 50 – column 4, line 33 – method to determines daily demand for manufacturing resources based on customer orders and predefined parameters related to the manufacturing resources); item information including a references to an algorithm to determine a quantity of the item for a project (column 3 line 50 – column 4, line 33 – the method provides a projection of demand on manufacturing resources; column 8, lines 41-51 – the method uses a smoothing process that comprises a computer and software programming an algorithm for smoothing the demand for the resources for a product over time); and determining project requirements on a dynamic basis based on a query for demand for items, by traversing the stored project and item data and using algorithms to determine the requirements (column 8, lines 40-67 – a forecast consumption policy is used to maximize the response to customer demand (inherently the customer order equates to customer demand which is used to query the system to determine project requirements to produce the customer order)), but does not explicitly teach compiling the information into tables. However, it is old and well known in the art of data management that a database is functionally equivalent

to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

As per **claim 17**, Gleditsch et al teaches, determining a project type of the project, the method further comprising, determining the item needed according to the project type of the project (column 4, lines 20-33 – the database stores predefined parameters in connection with each project for allocation of resources; column 3 line 50 – column 4, line 33 – method to determines daily demand for manufacturing resources based on customer orders and predefined parameters related to the manufacturing resources). Gleditsch et al does not explicitly teach the use of tables for storing information to determine future demand. However, it is old and well known in the art of data management that a database is functionally equivalent to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

As per **claim 18**, Gleditsch et al teaches, determining which milestone is employed to calculate the date on which the item is required; determining the date in the project table that is the actual milestone date; obtaining such actual milestone date; and applying the actual milestone date to calculate the date on which the item is required (column 3, lines 61-67 – calculates when

certain amounts of materials or other resources will be needed based on orders and determines the date when the materials need to be purchased from the supplier). Gleditsch et al does not explicitly teach the use of tables for storing information to determine future demand. However, it is old and well known in the art of data management that a database is functionally equivalent to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

As per **claim 19**, Gleditsch et al teaches from the items table, determining a supplier of the needed item; from the supplier table, obtaining lead-time information for supplying the item; and calculating an order date based on an item requirement date and the lead-time information (column 4, lines 20-33 – the computer system is linked to the suppliers for generating purchasing orders for more materials). Gleditsch et al does not explicitly teach the use of tables for storing information to determine future demand. However, it is old and well known in the art of data management that a database is functionally equivalent to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

As per **claim 20**, Gleditsch et al teaches a computer system with software programming an algorithm for forecasting and databases including project information for each project including a reference to items to be employed in connection with the project (column 3 line 50 – column 4, line 33 – method to determines daily demand for manufacturing resources based on customer orders and predefined parameters related to the manufacturing resources; inherently the system is programmed to perform the forecasting of customer demand therefore, the computer system must provide all structure and functionality to run the forecasting operation); item information including a references to an algorithm to determine a quantity of the item for a project (column 3 line 50 – column 4, line 33 – the method provides a projection of demand on manufacturing resources; column 8, lines 41-51 – the method uses a smoothing process that comprises a computer and software programming an algorithm for smoothing the demand for the resources for a product over time); determining project requirements on a dynamic basis based on a query for demand for items, by traversing the stored project and item data and using algorithms to determine the requirements (column 8, lines 40-67 – a forecast consumption policy is used to maximize the response to customer demand (inherently the customer order equates to customer demand which is used to query the system to determine project requirements to produce the customer order)); the project information further includes an identification of a project-type of the project, the tables further comprising a project-type table having project-type information for each project-type referenced by the project table, the project-type information including each item to be employed in connection with the project-type (column 4, lines 20-33 – the database stores predefined parameters in connection with each project for allocation of resources; column 3 line 50 – column 4, line 33 – method to determines daily demand for

manufacturing resources based on customer orders and predefined parameters related to the manufacturing resources); the project information further includes at least one milestone date for the project, the tables further comprising a milestone table having milestone information for each milestone date referenced by the project table, the milestone information including at least one key project moment to which a need for an item for the project is referenced (column 3, lines 61-67 – calculates when certain amounts of materials or other resources will be needed based on orders and determines the date when the materials need to be purchased from the supplier); the item information further includes a reference to the milestone information in the milestone table and information on how to calculate a date when the item is required based on the milestone information (column 3, lines 61-67 – calculates when certain amounts of materials or other resources will be needed based on orders and determines the date when the materials need to be purchased from the supplier); the item information further includes an identification of at least one supplier, the tables further comprising a supplier table having supplier information for each supplier referenced by the item table, the supplier information including the items supplied by the supplier and information for each supplied item (column 4, lines 20-33 – the computer system is linked to the suppliers for generating purchasing orders for more materials); storing project information, items for the project and the amount of the item required for the project (column 3, lines 50-67 and column 4, lines 6-33 – system stores project information and determines amount of item required for the project); storing information including the date when the item is needed for the project (column 3, lines 50-67 – system calculates when materials are needed based on orders and determines the date when supplies must be ordered); storing information including the date when the item is needed for the project (column 3, lines 50-67 –

system calculates when materials are needed based on orders and determines the date when supplies must be ordered); storing information including a supplier the item is to be ordered from (column 3, lines 60-67 – suppliers are inherently identified since the lead time associated with the supplier is used to order the needed materials), but does not explicitly teach compiling the information into tables. However, it is old and well known in the art of data management that a database is functionally equivalent to organization of data into tables. Since Gleditsch et al teaches the use of a database to store data and also reporting project requirements and generating purchase orders, it would have been obvious to one of ordinary skill in the art at the time of the invention to organize and display the collected data into tables. Regardless of what type of database is used or how the data is organized, Gleditsch et al is concerned with achieving the same result as the instant application.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Colby et al, US 6,480,836 – system and method for determining and generating candidate views for a database

Lautzenheiser et al, US 6,351,734 – system and method for resource allocation and planning

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Loftis whose telephone number is 571-272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JL
4/22/06

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